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9 CHURCH OF SCIENTOLOGY  
INTERNATIONAL

10  
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF MARIN

13 CHURCH OF SCIENTOLOGY  
14 INTERNATIONAL, a California not-  
15 for-profit religious corporation,

16  
17  
18 Plaintiff,

19  
20  
21 vs.

22  
23  
24 GERALD ARMSTRONG; DOES 1 through  
25 25, inclusive,

26  
27 Defendants.  
28

) CASE NO. BC 157680  
)  
) PLAINTIFF'S EVIDENTIARY  
) OBJECTIONS AND MOTION TO  
) STRIKE DECLARATION OF  
) LAWRENCE WOLLERSHEIM FILED  
) BY ARMSTRONG IN OPPOSITION  
) TO MOTION FOR SUMMARY  
) ADJUDICATION OF THE  
) TWENTIETH CAUSE OF ACTION  
) OF PLAINTIFF'S COMPLAINT  
) AND MOTION FOR SUMMARY  
) ADJUDICATION OF THE  
) THIRTEENTH, SIXTEENTH,  
) SEVENTEENTH AND NINETEENTH  
) CAUSES OF ACTION OF  
) PLAINTIFF'S COMPLAINT;  
) REQUEST FOR SANCTIONS  
) AGAINST DEFENDANT ARMSTRONG  
) PURSUANT TO C.C.P. 437(i)  
) IN THE AMOUNT OF \$1,000  
)  
) DATE: April 21, 1995  
) TIME: 9:00 a.m.  
) DEPT: 1  
)  
) TRIAL DATE: May 18, 1995

1 Plaintiff Church of Scientology International (hereinafter  
2 "the Church") hereby submits the following evidentiary objections  
3 to the declaration of Lawrence Wollersheim, filed by defendant  
4 Gerald Armstrong's in opposition to the Church's motions for  
5 summary adjudication of the twentieth, thirteenth, sixteenth,  
6 seventeenth, and nineteenth causes of action.

7 Plaintiff objects to specific points in the declaration of  
8 Wollersheim, and the items of evidence proffered therewith, on  
9 the grounds of inadmissibility because of incompetency, lack of  
10 preliminary or foundational facts, irrelevancy, hearsay,  
11 incorrect form, improper opinion, and lack of probative value  
12 under section 352 of the California Evidence Code, and failure to  
13 request judicial notice. Moreover, the declaration was both  
14 served and filed by Armstrong after the deadline for filing and  
15 service of oppositions to these motions, without permission of  
16 the Court. Armstrong filed the declaration in violation of this  
17 Court's ruling on April 7, 1995, that Armstrong could not have  
18 additional time in which to file papers in opposition to  
19 plaintiff's motion. At the time that the Court denied  
20 Armstrong's motion, Armstrong had already received two extensions  
21 of time from the Court of the hearing on the motions, and had  
22 delayed the resolution of matters in this case by nearly two  
23 years, by requesting and obtaining continuance after  
24 continuance.<sup>1</sup>

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25 <sup>1</sup> At the time of this writing (April 14, 1995), plaintiff's  
26 counsel has been informed by Armstrong that he intends to seek  
27 leave of the Court to file still more "evidence" in opposition to  
28 plaintiff's motion, including a series of declarations by other  
anti-Scientology litigants who aver that Scientology is "anti-  
(continued...)

SPECIFIC OBJECTIONS TO EVIDENCE:

A. **Objections to the Contents of the Declaration of Lawrence Wollersheim**

1. Paragraph 3: Plaintiff objects to the averments of this paragraph, p. 1, on the grounds that the averments are irrelevant and lack foundation.

2. Paragraph 4: Plaintiff objects to the averments contained in this paragraph, p. 1, on the grounds that they (1) are not based on personal knowledge, (2) lack relevance, (3) contain improper opinion, (4) are offered solely to create prejudice against plaintiff, and (5) contain improper conclusions.

3. Paragraph 5: Plaintiff objects to the averments contained in this paragraph, pp. 1-2, on the grounds that they (1) lack relevance, (2) are not based on personal knowledge, (3) lack foundation, (4) contain improper opinion, (5) are offered solely to create prejudice against plaintiff and (6) contain improper conclusions.

4. Paragraph 6: Plaintiff objects to the averments

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<sup>1</sup>(...continued)

Christian." Such material is, of course, completely irrelevant to the summary adjudication motions, and offered and intended only to impress the Court with how "bad" the plaintiff is. Armstrong's deadline for filing opposing papers was April 7, 1995. Plaintiff's deadline for filing papers in reply was April 14, 1995. Armstrong's planned attempt to circumvent this Court's clear order on denying him leave to file his opposition late, and to do so by deluging the Court with reams of still more irrelevant mud-slinging, should be rejected. In any event, plaintiff has not received complete copies of what it is that Armstrong intends to file, and cannot prepare any substantive objection or opposition to those papers at this time. Hence, this objection addresses only that document which plaintiff is informed Armstrong did late-file with the Court: Wollersheim's declaration.

1 contained in this paragraph, p. 2, lines 11 - 19, on the grounds  
2 that they (1) lack relevance, (2) are not based on personal  
3 knowledge, (3) lack foundation, (4) contain improper opinion, (5)  
4 are offered solely to create prejudice against plaintiff and (6)  
5 contain improper conclusions. Plaintiff further objects to  
6 Exhibit A to Wollersheim's Declaration, referenced in paragraph  
7 6, on the grounds that it (1) is not a sworn statement or valid  
8 declaration of Wollersheim or anyone else, (2) consists of  
9 inadmissible hearsay, (3) contains statements which are not based  
10 on Wollersheim's personal knowledge, (4) lacks relevance (5)  
11 consists of improper opinion, (6) is offered solely to create  
12 prejudice against plaintiff, and (7) contains improper and  
13 inadmissible conclusions.

14 5. Paragraph 8: Plaintiff objects to the averments  
15 contained in this paragraph, p. 3, lines 17-25, on the grounds  
16 that they (1) lack relevance, (2) are not based on personal  
17 knowledge, (3) lack foundation, (4) contain improper opinion, (5)  
18 are offered solely to create prejudice against plaintiff, and (6)  
19 contain improper conclusions based on hearsay.

20 6. Paragraph 9: Plaintiff objects to the averments  
21 contained in this paragraph, p. 4, on the grounds that they (1)  
22 lack relevance, (2) are not based on personal knowledge, (3) lack  
23 foundation, (4) contain improper opinion, (5) are offered solely  
24 to create prejudice against plaintiff and (6) contain improper  
25 conclusions. Plaintiff further objects to Exhibit B to  
26 Wollersheim's Declaration, referenced in paragraph 9, on the  
27 grounds that it (1) is not a sworn statement or valid declaration  
28 of Wollersheim or anyone else, (2) consists of inadmissible

1 hearsay, (3) contains statements which are not based on  
2 Wollersheim's personal knowledge, (4) lacks relevance, (5)  
3 consists of improper opinion, (6) is offered solely to create  
4 prejudice against plaintiff, and (7) contains improper and  
5 inadmissible conclusions.

6 7. Paragraph 10: Plaintiff objects to the averments  
7 contained in this paragraph, pp. 4-5, on the grounds that they  
8 (1) lack relevance, (2) are not based on personal knowledge, (3)  
9 lack foundation, (4) contain improper opinion, (5) are offered  
10 solely to create prejudice against plaintiff, (6) consist of  
11 inadmissible hearsay and, (7) contain improper conclusions.

12 8. Paragraph 11: Plaintiff objects to the averments  
13 contained in this paragraph, p. 5, on the grounds that they (1)  
14 lack relevance, (2) are not based on personal knowledge, (3) lack  
15 foundation, (4) contain improper opinion, (5) are offered solely  
16 to create prejudice against plaintiff, and (6) contain improper  
17 conclusions.

18 9. Paragraph 12: Plaintiff objects to the averments  
19 contained in this paragraph, p. 6, lines 6-21, on the grounds  
20 that they (1) lack relevance, (2) are not based on personal  
21 knowledge, (3) lack foundation, (4) contain improper opinion, (5)  
22 are offered solely to create prejudice against plaintiff, and (6)  
23 contain improper conclusions.

24 10. Paragraph 13: Plaintiff objects to the averments  
25 contained in this paragraph, pp. 6-7, on the grounds that they  
26 (1) lack relevance, (2) are not based on personal knowledge, (3)  
27 lack foundation, (4) contain improper opinion, (5) are offered  
28 solely to create prejudice against plaintiff, (6) contain

1 inadmissible hearsay, and (7) contain improper conclusions.

2 **B. Objections To The Declaration Of Lawrence Wollersheim**  
3 **In Its Entirety**

4 Plaintiff objects to this declaration and its exhibits in  
5 its entirety, for the reasons set forth in detail in plaintiff's  
6 Combined Reply in support of motions for summary adjudication of  
7 the twentieth cause of action and motion for summary adjudication  
8 of the thirteenth, sixteenth, seventeenth, and nineteenth causes  
9 of action, which is incorporated herein by reference. Plaintiff  
10 moves that this declaration be stricken, together with all of its  
11 exhibits, and requests that Armstrong be sanctioned for its  
12 filing pursuant to Code of Civil Procedure Section 437c(i) in the  
13 amount of \$1,000.

14 Dated: April 17, 1995

Respectfully submitted,

MOXON & BARTILSON

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16  
17 By: 

Laurie J. Bartilson

18 Andrew H. Wilson  
19 WILSON, RYAN & CAMPILONGO

20 Attorneys for Plaintiff  
21 CHURCH OF SCIENTOLOGY  
22 INTERNATIONAL  
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PROOF OF SERVICE

STATE OF CALIFORNIA            )  
  )    ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On April 17, 1995, I served the foregoing document described as PLAINTIFF'S EVIDENTIARY OBJECTIONS AND MOTION TO STRIKE DECLARATION OF LAWRENCE WOLLERSHEIM FILED BY ARMSTRONG IN OPPOSITION TO MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT AND MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, SIXTEENTH, SEVENTEENTH AND NINETEENTH CAUSES OF ACTION OF PLAINTIFF'S COMPLAINT; REQUEST FOR SANCTIONS AGAINST DEFENDANT ARMSTRONG PURSUANT TO C.C.P. 437(i) IN THE AMOUNT OF \$1,000 on interested parties in this action,

[ ] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [ ] the original [X] true copies thereof in sealed envelopes addressed as follows:

GERALD ARMSTRONG  
715 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
700 Larkspur Landing Circle  
Suite 120  
Larkspur, CA 9493

[X] BY MAIL

[ ] \*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on \_\_\_\_\_ at \_\_\_\_\_, California.

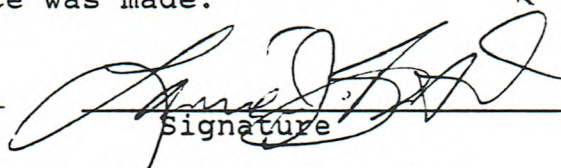
[ ] **\*\* (BY PERSONAL SERVICE)** I delivered such envelopes by hand to the offices of the addressees.

Executed on April 17, 1995, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie Barblson  
Print or Type Name

  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)